

sage be ordered printed for the use of the Senate.

Adopted.

By Senator Greer:

Resolved, by the Senate, That each member of the Senate be allowed to subscribe for four daily newspapers during the session of the Legislature, and that the same be paid for out of the contingent fund of the Senate.

By Senator Morriss:

"Amend so as to read 'ten' copies instead of 'four.'"

Lost by the following vote:

Yeas—3.

Miller.	Ross.
Morriss.	

Nays—25.

Atlee.	McGee.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Patterson.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yantis.
Linn.	Yett.
Lloyd.	

Absent.

Hanger.	Stone.
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Absent—Excused.

Lewis.

By Senator Kerr:

"Amend by adding: 'At a price not exceeding three cents per copy.'"

Adopted.

The resolution as amended was lost by the following vote:

Yeas—12.

Burns.	Kerr.
Davidson.	Linn.
Dibrell.	Odell.
Goss.	Patterson.
Greer.	Ross.
Johnson.	Sebastian.

Nays—16.

Atlee.	Neal.
Gough.	Potter.
Grinnan.	Stafford.
James.	Terrell.
Lloyd.	Turney.
McGee.	Wayland.
Miller.	Yantis.
Morriss.	Yett.

Absent.

Hanger.	Stone.
Lewis.	

By Senator Dibrell:

Whereas, Matters pending before this Called Session of the Legislature are of great public importance, and require careful study and investigation; therefore, be it

Resolved, That the Librarian of the Supreme Court of Texas be requested to open and keep open said library from 8 o'clock a. m. until 6 o'clock p. m., that the members of the Legislature may have access thereto, and that the Librarian be allowed the sum of one dollar per day extra pay for such services, to be paid out of the contingent expenses of this Legislature.

Adopted.

There being no other business before the Senate,

On motion of Senator Atlee the Senate adjourned to 10 a. m. tomorrow.

THIRD DAY.

Senate Chamber,

Austin, Tex., Thursday, Jan. 25, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Neal.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Patterson.
Hanger.	Ross.
Linn.	Stone.
Odell.	

Absent—Excused.

Lewis.

Prayer by the Rev. George A. LeClere, presiding elder of the Austin district.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

BILLS AND RESOLUTIONS.

By Senator Neal:

Resolved, That the printer be and is

hereby instructed to print and deliver to the Senate 300 copies of each day's Journal for the use of the Senate.

Adopted.

It concluded.

REGULAR ORDER.

The Chair laid before the Senate, Senate bill No. 1, A bill to be entitled "An Act to appropriate sixty thousand dollars to pay members' mileage and per diem, and officers' and employes' per diem of the First Called Session of the Twenty-sixth Legislature," on second reading.

The bill was read second time, and ordered engrossed.

HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, January 25, 1900.

To Hon. J. N. Browning, President of the Senate.

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has passed the following bills, to wit:

House bill No. 2, A bill to be entitled "An Act making an appropriation to pay mileage and per diem pay of members and per diem pay of officers and employes of the First Called Session of the Twenty-sixth Legislature of the State of Texas, convened January 23, 1900, by proclamation of the Governor."

Also House bill No. 3, A bill to be entitled "An Act making an appropriation to defray the contingent expenses of the First Called Session of the Twenty-sixth Legislature of the State of Texas, convened January 23, 1900, by proclamation of the Governor."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bills were read first time, and referred to the Committee on Finance.

PRIVILEGE OF THE FLOOR. (RESOLUTION.)

By Senator Stafford:

Resolved, That Judge W. P. McLean, a distinguished citizen of Texas, who is present, be granted the privileges of the floor of the Senate.

Adopted.

Senate Concurrent Resolution No. 1:

By Senator Linn, et al.:

Whereas, Captain C. S. Riche, of the United States Engineer Corps, in charge of the improvements made and to be made on the coast of Texas by the United

States government, has, under an Act of Congress, with commendable zeal and ability, examined into the feasibility of constructing an inland water way by connecting the bays on the coast with a canal, thereby increasing the facilities for transportation and giving the inhabitants of the coast the benefit of cheap water rates, and he has, after full examination, reported that such a water way can be easily and cheaply constructed, and will be of sufficient general benefit to justify the expenditure by the government of the amount necessary for its construction; and

Whereas, This inland water way would furnish transportation facilities to the people of the entire coast; and

Whereas, The nearest railroad running parallel to the Gulf of Mexico is from fifty to one hundred miles from the coast; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, that our Senators and Representatives in Congress are requested to support the report of Captain Riche and endeavor to obtain the appropriation recommended by him as necessary for the purpose.

LINN,
DAVIDSON,
ATLEE,
GREER.

By Senator Miller:

"Amend by adding, 'and an appropriation for the purpose of opening to navigation the Trinity river.'"

By Senator Terrell:

"Amend the amendment by inserting in the amendment, 'also the West Fork of the Trinity river to Fort Worth.'"

Lost.

By Senator Wayland:

"Amend the amendment by inserting the words after the word 'Trinity,' 'and Brazos.'"

Adopted.

By Senator Gough:

"Amend the amendment by inserting after the words 'Trinity river,' the words 'and Red River.'"

Adopted.

By Senator Morriss:

"Amend the amendment by adding after 'Brazos and Red Rivers,' 'Cypress Bayou and Soda and Caddo Lakes from Shreveport, in Louisiana, to Jefferson, in Texas.'"

Adopted.

The amendment (Miller's) as amended was then lost by the following vote:

Yeas—11.

Burns.
Johnson.

Lloyd.
McGee.

Miller.
Morris.
Potter.
Sebastian.

Stafford.
Wayland.
Yantis.

Nays—14.

Atlee.	Kerr.
Dibrell.	Linn.
Goss.	Neal.
Gough.	Patterson.
Greer.	Terrell.
Grinnan.	Turney.
James.	Yett.

Absent.

Davidson.	Ross.
Hanger.	Stone.
Odell.	

Absent—Excused.

Lewis.

Pending action on the adoption of the resolution,

Senator Miller moved to refer same to the Committee on Federal Relations.

Lost by the following vote:

Yeas—10.

Goss.	Morris.
Gough.	Potter.
Johnson.	Terrell.
Lloyd.	Wayland.
Miller.	Yantis.

Nays—15.

Atlee.	McGee.
Burns.	Neal.
Dibrell.	Patterson.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Turney.
Kerr.	Yett.
Linn.	

Absent.

Davidson.	Ross.
Hanger.	Stone.
Odell.	

Absent—Excused.

Lewis.

The resolution was then adopted.

EXECUTIVE MESSAGE.

The following message was received from the Governor, which, after being read, was referred to the Committee on Finance:

To the Legislature:

I herewith transmit, for consideration with the items for appropriation submitted on yesterday, a resolution adopted by the Board of Penitentiary Commissioners, at its regular meeting held in Austin, Wednesday, January 24, 1900:

"Resolved, That the Penitentiary Board recommends that the Governor

ask the Special Session of the Twenty-sixth Legislature for permission for said Board to use, in the erection and equipment of a twenty-ton ice plant at the House of Correction and Reformatory, near Gatesville, Texas, three thousand dollars of the amount appropriated by the Regular Session of said body for the maintenance of said House of Correction and Reformatory during the year ending February 28, 1900, in view of the fact that said amount can be spared from the fund indicated without interfering with the successful operation of the Reformatory, and can be employed to a much better purpose in the establishment of the manufacturing plant mentioned."

JOSEPH D. SAYERS,
Governor.

PRIVILEGE OF THE FLOOR. (RESOLUTION.)

By Senator Morris:

Resolved, That the privileges of the floor of the Senate be accorded to Hon. J. C. Hodges, a prominent statesman from the city of Paris, Texas, who is now in this city.

Adopted.

COMMITTEE REPORTS.

By unanimous consent the following committee reports were made:

Committee Room,

Austin, Texas, January 25, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred.

House bill No. 2, being a bill to be entitled "An Act making an appropriation to pay mileage and per diem pay of members and per diem pay of officers and employes of the First Called Session of the Twenty-sixth Legislature of the State of Texas, convened January 23, 1900, by proclamation of the Governor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Chairman.

Committee Room,

Austin, Texas, January 25, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 3, being a bill to be entitled "An Act making an appropriation to defray the contingent expenses of the First Called Session of the Twenty-sixth Legislature of the State of

Texas, convened January 23, 1900, by proclamation of the Governor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DIBRELL, Chairman.

Committee Room,

Austin, Texas, January 25, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 1, being a bill to be entitled "An Act to appropriate sixty thousand dollars to pay members' mileage and per diem and officers' and employes' per diem of the First Called Session of the Twenty-sixth Legislature,"

And find the same correctly engrossed.

JAMES, Chairman.

Senator Dibrell moved to suspend Senate Rule No. 47 (requiring bills to lay on the table for one day after being reported), and that House bill No. 2 (mileage and per diem bill) be taken up on second reading.

Carried.

The Chair accordingly laid before the Senate, on second reading,

House bill No. 2, A bill to be entitled "An Act making an appropriation to pay mileage and per diem pay of members and per diem pay of officers and employes of the First Called Session of the Twenty-sixth Legislature of the State of Texas, convened January 23, 1900, by proclamation of the Governor."

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its second reading by the following vote:

Yeas—25.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Neal.
Goss.	Patterson.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Ross.
Hanger.	Stone.
Odell.	

Absent—Excused.

Lewis.

The bill was read a second time, and passed to a third reading.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Neal.
Goss.	Patterson.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Ross.
Hanger.	Stone.
Odell.	

Absent—Excused.

Lewis.

The bill was read a third time, and passed by the following vote:

Yeas—25.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Neal.
Goss.	Patterson.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Ross.
Hanger.	Stone.
Odell.	

Absent—Excused.

Lewis.

(President Pro. Tem. Turney in the chair.)

RESOLUTION—IMPROVEMENT OF TRINITY RIVER.

By Senator Miller:

Whereas, A commission of United States engineers, under Act of Congress,

have surveyed the Trinity river and reported in favor of an appropriation by Congress for the purpose of opening the same to navigation at an immense saving in freight rates and otherwise to the people of Texas; therefore, be it

Resolved, That our United States Senators and members of Congress be requested to use every effort to secure an appropriation in accordance with said report.

By Senator Gough:

"Amend by adding after the words 'Trinity river,' the words 'and Red River.'"

Lost by the following vote:

Yeas—8.

Burns.	McGee.
Gough.	Morriss.
James.	Potter.
Lloyd.	Terrell.

Nays—16.

Dibrell.	Neal.
Goss.	Patterson.
Greer.	Sebastian.
Grinnan.	Stafford.
Johnson.	Turney.
Kerr.	Wayland.
Linn.	Yantis.
Miller.	Yett.

Absent.

Atlee.	Odell.
Davidson.	Ross.
Hanger.	Stone.

Absent—Excused.

Lewis.

By Senator Patterson:

"Amend by adding 'Leon river.'"

Lost.

By Senator Wayland:

"Amend by adding the words 'and Brazos' after the word 'Trinity.'"

Lost.

By Senator Yantis:

"Amend by striking out 'navigating' and inserting 'macadamizing.'"

Lost.

The resolution was then adopted.

Senator Dibrell moved to suspend Rule No. 47 (requiring bills to lay on the table one day after being reported), and to take up

House bill No. 3, A bill entitled "An Act making an appropriation to defray the contingent expenses of the First Called Session of the Twenty-sixth Legislature of the State of Texas, convened January 23, 1900, by proclamation of the Governor."

Carried.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its second reading by the following vote:

Yeas—25.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Neal.
Goss.	Patterson.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Ross.
Hanger.	Stone.
Odell.	

Absent—Excused.

Lewis.

The bill was read a second time, and passed to a third reading.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Neal.
Goss.	Patterson.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Ross.
Hanger.	Stone.
Odell.	

Absent—Excused.

Lewis.

The bill was read a third time, and passed by the following vote:

Yeas—25.

Atlee.	Gough.
Burns.	Greer.
Dibrell.	Grinnan.
Goss.	James.

Johnson.
Kerr.
Linn.
Lloyd.
Mee.
Miller.
Morris.
Neal.
Patterson.

Potter.
Sebastian.
Stafford.
Terrell.
Turney.
Wayland.
Yantis.
Yett.

Absent.

Davidson.
Hanger.
Odell.

Ross.
Stone.

Absent—Excused.

Lewis.

(Lieutenant-Governor Browning in the chair.)

Senator Turney moved to reconsider the vote by which House bill No. 3 (see above) was passed, and to lay that motion on the table.

Tabled.

Senator Dibrell moved to reconsider the vote by which House bill No. 2 (per diem bill, see above) was passed, and to lay that motion on the table.

Tabled.

Senator Linn called up his motion to declare the office of Assistant Secretary vacant. (See Journal of first day.)

Pending action,

Senator Wayland offered the following as a substitute for the motion:

Resolved, That inasmuch as the work of this Called Session will not be as great as that of the Regular Session of the Twenty-sixth Legislature; therefore, be it

Resolved, That the President of the Senate be and he is hereby authorized to retain only so many of the clerks and employes as in his judgment may be necessary for the performance of the duties that may be assigned them.

Senator Linn made the point of order against the proposed substitute that same was not in order, because not germane to the original motion.

Sustained.

Senator Potter then offered the following as a substitute for Senator Linn's motion:

Resolved, That the President of the Senate assign one of the committee clerks to the performance of the duty of Assistant Secretary until such time as the Assistant Secretary shall return or to the end of the Special Session.

Senator Linn made the point of order that the resolution was not in order, because in violation of Senate Rule No. 7 (requiring the office of Assistant Secretary to be filled by election).

Overruled. (The Chair holding that the office of Assistant Secretary was not vacant, the officer being absent only, and that the Chair could substitute his presence by appointment until he returned or the office was declared vacant.)

The substitute (Potter's) was adopted by the following vote:

Yeas—16.

Goss.
Greer.
Grinnan.
James.
Johnson.
Kerr.
Lloyd.
McGee.

Morris.
Neal.
Patterson.
Potter.
Terrell.
Turney.
Wayland.
Yett.

Nays—7.

Burns.
Dibrell.
Gough.
Linn.

Miller.
Sebastian.
Yantis.

Absent.

Atlee.
Davidson.
Hanger.

Odell.
Ross.
Stone.

Absent—Excused.

Lewis.

The motion (Linn's) as substituted was then adopted.

Senator Wayland then renewed his resolution (see above).

Lost.

BILL SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

House bill No. 2, A bill entitled "An Act making an appropriation to pay mileage and per diem pay of members and per diem pay of officers and employes of the First Called Session of the Twenty-sixth Legislature of the State of Texas, convened January 23, 1900, by proclamation of the Governor."

MOTION TO RECONSIDER AND TABLE.

Senator Sebastian moved to reconsider the vote by which the substitute offered by Senator Potter for the motion of Senator Linn (relative to Assistant Secretary) was adopted, and to lay that motion on the table.

Carried.

The Chair then announced the appointment of Committee Clerk M. L. Goodwin, to assist Secretary Pool.

On motion of Senator Morris, the Senate adjourned until 3 p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Miller.
Burns.	Morriss.
Goss.	Neal.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Sebastian.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.

Absent.

Davidson.	Odell.
Dibrell.	Ross.
Hanger.	Stafford.
Linn.	Stone.

Absent—Excused.

Lewis.

BILL SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

House bill No. 3, A bill entitled "An Act making an appropriation to defray the contingent expenses of the First Called Session of the Twenty-sixth Legislature of the State of Texas, convened January 23, 1900, by proclamation of the Governor."

RESOLUTIONS.

By Senator Kerr:

Resolved by the Senate, That each member of the Senate be allowed to subscribe for three daily newspapers during the session of the Legislature, and that the same be paid for out of the contingent fund of the Senate, at a price not to exceed three cents per copy.

Adopted.

By Senator Miller:

Resolved, That the Secretary of the Senate be allowed five dollars worth of stamps, to be paid out of the contingent expense fund.

Adopted.

On motion of Senator Kerr, the Senate adjourned until Monday next, 10 a. m.

FOURTH DAY.

Senate Chamber,
Austin, Tex., Monday, Jan. 29, 1900.

The Senate met pursuant to adjournment.

President Pro Tem. Turney in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Morriss.
Burns.	Odell.
Dibrell.	Patterson.
Goss.	Potter.
Gough.	Sebastian.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Miller.	Yett.

Absent.

Davidson.	McGee.
Greer.	Neal.
Johnson.	Ross.
Linn.	Stone.
Lloyd.	

Prayer by the Chaplain, Rev. Garrett.
Pending the reading of the Journal of last Thursday,

On motion of Senator Patterson, the same was dispensed with.

EXCUSED.

On motion of Senator James, Lieutenant-Governor Browning was excused from attendance upon the Senate until Thursday, on account of important business.

On motion of Senator Stafford, Senator Hanger was excused for non-attendance upon the Senate last week, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Potter:

Petition of citizens of Cook county in reference to tax upon mutual building and loan associations.

Read, and referred to Committee on Finance.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, January 29, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Public Land and Land Office to whom was referred

Senate bill No. 2, being a bill to be entitled "An Act to partition the land,